. 06-20-05

+ Please type a plus sign (+) inside this box Π

1FW 1646 PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.				
DIPE		Application Number		09/991,157
IN 172005 FRANSMITTAL		Filing Date		November 16, 2001
FORM		First Named Inventor		Desnoyers, et al.
RADE be used for all correspondence after initial filing)		Group/Art Unit		1646
		Examiner Name		Murphy, Joseph
Total Number of Pages in This Submission		Attorney Docket 1	Number	39780-2730P1C51
ENCLOSURES (check all that apply)				
Fee Transmittal Form Fee Attached Amendment / Response After Final Version with Markings Showing Changes Affidavits/declaration(s) Extension of Time Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing	Drawing Drawing Licensing Petition Petition Provision Power of Change Termina Small Enterprise Request Remarks	Routing Slip (PTO/Slompanying Petition to Convert to a nal Application of Correspondence Additional Disclaimer antity Statement	n ddress	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Additional Enclosure(s) (please identify below): stamped return postcard ACCOUNT 08-1641 FOR ANY FEES (Reference Atty. Docket No. 39780-
Parts under 37 CFR 2730P1C51).				
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT				
Firm or Individual name GINGER R. DREGER, ESQ., REG. NO. 33,055, HELLER EHRMAN WHITE & McAULIFFE LLP				
Signature ()				
Date JUNE 17, 2005 Customer Number: 35489				
CERTIFICATE OF EXPRESS MAILING				
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 20231, on this date: Express Mail Label EL 993 637 622 US				
Typed or printed name CHERYL ANN ROGERS				
Signature Church	Rogers		Date J	UNE 17, 2005

Burden Hour Statement: This form is estimated to take 02 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND REES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Desnoyers, et al.

Docket No.:

39780-2730 P1C51

ial No.:

09/991,157

Group Art Unit:

1646

Filing Date:

November 16, 2001

Examiner:

Murphy, Joseph

For:

NUCLEIC ACIDS ENCODING PRO943

EXPRESS MAIL LABEL NO. EL 993 637 622 US

Date Mailed: June 17, 2005

AMENDMENT AND RESPONSE TO OFFICE ACTION

MS: AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on **June 3, 2005** in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed within the shortened statutory period set for the response and hence, no fees are believed to be due.

Amendments to the Claims are reflected in the listing of claims that begins on page $\underline{2}$ of this paper.

Remarks/Arguments begin on page 5 of this paper.